



98-2069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guidotti, et al.)
Serial No. 09/432,334) Group Art Unit: 1745
Filed: November 2, 1999) Examiner: Maples
For: ENERGY STORAGE AND CONVERSION)
DEVICES USING THERMAL SPRAYED)
ELECTRODES)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notice of Abandonment dated October 28, 2004, Applicant submits this Petition to Withdraw Holding of Abandonment under 37 C.F.R. §1.181(a). Consideration and withdrawal of the holding of abandonment are requested.

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REMARKS

In a Notice of Abandonment dated October 28, 2004, the present application has been indicated as being abandoned for failure to timely pay the Issue Fee within the statutory period of three months from the mailing date of the Notice of Allowance.

In response, Applicant submits that the issue fee was timely paid, thus the holding of abandonment is improper and may not be maintained. In this regard, Applicant respectfully submits evidencing materials as Attachments 1, 2 and 3.

Attachment 1:

Attached is a copy of the papers filed with a certification of mailing stating the date of deposit as September 15, 2004 in compliance with 37 C.F.R. 1.8, which includes a copy of the check for the Issue Fee, and a copy of the return receipt post card. Applicant's note that the postcard, which has an error in the serial number, has not been returned.

Attachment 2:

Since the return postcard has not been returned, Attached is a statement of Ms. DiGregorio stating that she signed the certificate of mailing dated September 15, 2004 and deposited it in the outgoing mail, which is evidenced by a copy of the mail log for September 15, 2004 (Attachment 3).

Attachment 3:

Attached in a copy of a page of the mail log for September 15, 2004.

The documentary evidence discussed herein and submitted herewith clearly establishes that Applicants timely paid the Issue fee on September 15, 2004. Accordingly, Applicant herein petition to withdrawal the holding of abandonment set forth in the Notice of Abandonment dated October 28, 2004. Pursuant to MPEP § 711.03(c)I, no fee is required for the present Petition. However if there are any charges due with respect to this Petition or otherwise, please charge them to Deposit Account No. 06-1130.

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For at least the reasons set forth herein above, the holding of Abandonment is improper and may not be maintained; withdrawal thereof is respectfully requested.

The Examiner is invited to contact Applicants' attorneys at the below-listed telephone number regarding this Petition or otherwise concerning the present application.

Respectfully submitted,

CANTOR COLBURN LLP

By: Patricia S. DeSimone

Patricia S. DeSimone

Registration No. 48,137

CANTOR COLBURN LLP

55 Griffin Road South

Bloomfield, CT 06002

Telephone (860) 286-2929

Facsimile (860) 286-0115

Customer No. 23413

Date: November 4, 2004

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **Guidotti, et al.**

Docket No.

98-2069

Application No.

09/432,334

Filing Date

November 2, 1999

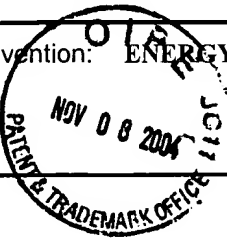
Examiner

Maples

Customer No.

23413

Group Art Unit

1745Invention: **ENERGY STORAGE AND CONVERSION DEVICES USING THERMAL SPRAYED ELECTRODES**I hereby certify that this **Petition to Withdraw Holding of Abandonment**

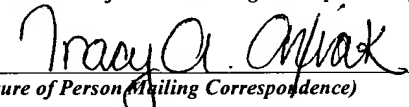
(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
November 4, 2004

(Date)

Tracy A. Axiak

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)**Note: Each paper must have its own certificate of mailing.**

PART B - FEE(S) TRANSMITTAL

ATTACHMENT 1

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

023413

7590

06/16/2004

CANTOR COLBURN, LLP
 55 GRIFFIN ROAD SOUTH
 BLOOMFIELD, CT 06002



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Patricia DiGregorio

(Depositor's name)

(Signature)

September 15, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/432,334	11/02/1999	RONALD A. GUIDOTTI	98-2069	9910

TITLE OF INVENTION: ENERGY STORAGE AND CONVERSION DEVICES USING THERMAL SPRAYED ELECTRODES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/16/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
MAPLES, JOHN S	1745	429-218100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 CANTOR COLBURN LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Sandia Corporation
 U.S. Nanocorp

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Albuquerque, New Mexico
 North Haven, CT

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee☒ Advance Order - # of Copies 5

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1130 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Philmore H. Colburn II September 15, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

CANTOR COLBURN LLP
INTELLECTUAL PROPERTY ATTORNEYS
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002



51-57/119

42690
42690

PAY

***** One Thousand Six Hundred Forty Five & 00/100 Dollars

TO THE
ORDER
OF

**Commissioner of Patents and
Trademark Office**
NAO-98-2069

DATE
09/15/04

AMOUNT
*****1,645.00

AUTHORIZED SIGNATURE

⑈042690⑈ ⑆01190057⑆ 00168 13348⑈

THE STAMP OF THE PATENT OFFICE PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Attorney Docket No.: 98-2069 (U.S. Nanocorp)
Date Mailed: September 15, 2004
Applicant: RONALD A. GUIDOTTI ET AL.
Serial No.: 09/432,234 Filed: November 2, 1999
For: ENERGY STORAGE AND CONVERSION DEVICES
USING THERMAL SPRAYED ELECTRODES

BASE ISSUE FEE AND PUBLICATION FEE TRANSMITTAL FORM
(1 PAGE); ADVANCE ORDER (5); BASE ISSUE FEE,
PUBLICATION FEE AND ADVANCE ORDER FEE (\$1,645.00)



Mailed via First Class Mail to USPTO on: September 15, 2004

Received in the USPTO on:

CANTOR COLBURN LLP

42690

VENDOR ID		PTO		NUMBER		42690		DATE		09/15/04	
PAYEE		Commissioner of Patents and		MEMO		Account#		DISCOUNT TAKEN		AMOUNT OF PAYMENT	
INVOICE NUMBER		INVOICE DATE		INVOICE AMOUNT		PREVIOUS PAY/CREDIT		TOTAL		*****1,645.00	





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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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) Group Art Unit: 1745
Serial No.	09/432,334)
) Examiner: Maples
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)
For:	ENERGY STORAGE AND CONVERSION)	
	DEVICES USING THERMAL SPRAYED)	
	ELECTRODES)	

STATEMENT PURSUANT TO 37 C.F.R. 1.8(b)(3)

I, Patricia DiGregorio, state that I timely submitted the Issue Fee for the above referenced application on September 15, 2004. I signed a certificate of mailing attesting to this fact, and deposited the Issue Fee and related papers in the outgoing mail for the firm Cantor Colburn LLP, which I recorded on the mail log for that day.

Respectfully submitted,

By: Patricia DiGregorio

Patricia DiGregorio

Date: November 4, 2004



Date:

9/15/04

BEST AVAILABLE COPY

Patent / Trade or Other	Address	Client's Name	Case Number	Contents	Your Initial	Postage Type or amount
P	USPTO	GTE Medical	GEM-0040	BIF Pub. Fee + Fee Address Turn	pd	.60 ✓
P	USPTO	FARO	FAD-0130-D	BIF + AD	pd	.37 ✓
P	USPTO	YKIE	YKI-0083	BIF Pub. Fee + AD	pd	.37 ✓
P	USPTO	U.S. Microscope ^{WAD}	GS-2069	BIF, Pub. Fee + AD	pd	.37 ✓
P	USPTO	Germain	GER-0522	BIF, Pub. Fee + AD	pd	.37 ✓
P	USPTO	Germain	GER-0540	BIF + AD	pd	.37 ✓
P	USPTO	Germain	GER-0541	BIF + AD	pd	.37 ✓
P	USPTO	UConn	UCT-0034	BIF Pub. Fee + AD	pd	.37 ✓
P	USPTO	Peterson	PES-0047	BIF, Pub. Fee + AD	pd	.37 ✓
P	USPTO	BellSouth	B22-0017	BIF + AD	pd	.37 ✓
P	USPTO	BellSouth	B22-0009	BIF + AD	pd	.37 ✓
P	USPTO	Myra	KOY-0003	BIF, Pub. Fee + AD	pd	.37 ✓
P	Lisa Saklisch	IBM	I26-0025	ITrends	pd	.37 ✓
P			I26-0024	ITrends	pd	.37 ✓
P			I26-0026	ITrends	pd	.37 ✓
P			I26-0029	ITrends	pd	.37 ✓
P	Floyd Gonzalez	IBM	IBI-0042-D	ITrends	pd	.37 ✓
P		IBM	IBI-0047	ITrends	pd	.37 ✓